

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: BRIAN ADAM HOOKER AND	{	CHAPTER 13
MEGAN LASHAE HOOKER,	{	
	{	
DEBTOR(S)	{	CASE NO. R19-42743-BEM
	{	
	{	JUDGE ELLIS-MONRO

OBJECTION TO CONFIRMATION

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.

2. The Debtor(s) has failed to provide the Trustee with a copy of the federal tax return or transcript of such return for the most recent tax year ending immediately before the commencement of the instant case and for which a federal income tax return was filed, in violation of 11 U.S.C. Section 521(e)(2)(A)(i).

3. The Debtor(s)' plan proposes certain changes in the monthly payments to CarMax and Carvana, LLC. However, the plan is not date specific regarding these changes. Thus, the Trustee is unable to effectively administer the plan as proposed; specifically, the step dates occur pre-petition.

4. The Chapter 13 Plan fails to provide the complete collateral for the claims of CarMax and Harley-Davidson Credit Corporation and correct creditor and complete collateral for the claim of Carvana, LLC, preventing the Trustee from properly administering this plan.

5. The Chapter 13 petition fails to include a debt owed to CVI SGP Acquisition Trust, in violation of Bankruptcy Rule 1007(a)(1) and 11 U.S.C. Section 1325(a)(3).

6. The proposed plan fails to provide for the treatment of CVI SGP Acquisition Trust. However, said creditor has filed a secured claim.

Mary Ida Townson, Chapter 13 Trustee
285 Peachtree Center Ave, NE
Suite 1600
Atlanta, GA 30303
(404) 525-1110
albertg@atlch13tt.com

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

_____/s/_____
Albert C. Guthrie, Attorney
for Chapter 13 Trustee
GA Bar No. 142399

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CERTIFICATE OF SERVICE

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

DEBTOR(S):

BRIAN ADAM HOOKER
1021 DELAWARE DRIVE
DALTON, GA 30721-3638

MEGAN LASHAE HOOKER
1021 DELAWARE DRIVE
DALTON, GA 30721-3638

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 30th day of January 2020

_____/s/_____
Albert C. Guthrie, Attorney
for Chapter 13 Trustee
State Bar No. 142399

Mary Ida Townson, Chapter 13 Trustee
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